

**House Bill 137 on Second Reading**

The Senate resumed the consideration of the pending business, same being H. B. No. 137 on its second reading and passage to third reading.

Question—Shall H. B. No. 137 be passed to third reading?

**Welcome and Congratulatory Resolutions**

S. R. No. 428—By Senator McKool: Extending congratulations to Benita Fields on her selection to perform in a Dallas Junior Players Guild production.

S. R. No. 429—By Senator McKool: Extending congratulations to Richard Carrizales on his selection to perform in a Dallas Junior Players Guild production.

S. R. No. 430—By Senator McKool: Extending congratulations to Janet Bonney for being an outstanding student.

S. R. No. 432—By Senator Aikin: Extending welcome and privileges of the floor for the day to Miss Vatra Solomon.

S. R. No. 434—By Senator Herring: Extending welcome to Mrs. Bruce Lane and daughter, Tracy.

S. R. No. 435—By Senator Bridges: Extending welcome to Texas History students of Coggin Memorial School of Corpus Christi.

S. R. No. 436—By Senator Herring: Extending welcome to sponsor and students of eighth grade class of Lockhart Junior High School.

S. R. No. 439—By Senators Hall and Creighton: Extending welcome to Miss Jan Gray of Denton.

S. R. No. 440—By Senators Hall and Creighton: Extending welcome to Miss Jill Gray of Denton.

**Adjournment**

(President in the Chair.)

Pending discussion by Senator Strong of the bill, Senator Aikin moved the Senate stand adjourned until Tuesday, April 8, 1969, at 11:00 o'clock a.m.

The motion prevailed.

Accordingly, the Senate at 12:18 o'clock a.m. on Tuesday, April 8, o'clock p.m. adjourned until 11:00 1969.

**APPENDIX****Sent to Governor**

April 2, 1969

S. B. No. 174

S. B. No. 267

S. B. No. 380

**FORTY-FIFTH DAY**

(Tuesday, April 8, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 2, was dispensed with, and the Journal was approved.

(Senator Brooks in the Chair.)

**Leave of Absence**

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy.

**Message From the House**

Hall of the House of Representatives

Austin, Texas.

April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 58, Directing the Enrolling Clerk of the Senate to correct S. B. No. 188.

H. B. No. 303, A bill to be entitled "An Act authorizing and directing the Board of Regents of The University of Texas System to establish and maintain a general academic institution in Dallas County, Texas, or in any county adjacent to Dallas County, to be known as The University of Texas at Dallas; authorizing the Board to prescribe courses leading to customary degrees, and to award such degrees; stating the intent of the Legislature that such degrees shall include baccalaureate, master's and doctoral degrees, and their equivalents; providing for the establishment of a four-year undergraduate program, and providing that no department, school, or degree program shall be instituted without the prior approval of the Coordinating Board; authorizing the Board to make rules and regulations for the operation, control, and management of the university; authorizing joint appointments; prohibiting the enrollment of undergraduate students or the awarding of baccalaureate degrees before September 1, 1975; authorizing the acceptance of gifts, grants and donations from any source in aid of the planning, establishment, conduct, and operation of the university authorized by this Act, and in aid of the teaching and research conducted therein; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

#### Reports of Standing Committees

Senator Creighton submitted the following report:

Austin, Texas,  
April 8, 1969.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 533, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CREIGHTON, Chairman.

Senator Christie submitted the following reports:

Austin, Texas,  
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 31, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

CHRISTIE, Chairman.

C. S. S. J. R. No. 31 was read first time.

Austin, Texas,  
April 2, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 20, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 23, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 11, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred S. J. R. No. 30, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to which was referred H. J. R. No. 7, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHRISTIE, Chairman.

Senator Moore submitted the following reports:

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 288, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred H. B. No. 112, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 509, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 543, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOORE, Chairman.

#### Senate Bills on First Reading

The following local bills were introduced, read first time and referred to the Committees indicated:

By Senator Connally:

S. B. No. 728, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of Karnes County Hospital District of Karnes County, Texas, by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Christie:

S. B. No. 729, A bill to be entitled "An Act amending Acts 1961, 57th Legislature, First Called Session, Chapter 32, governing El Paso County Water Authority by enlarging such Authority and containing a description of the territory to be included therein, providing for the validation of the election and the appointment of the present members of the Board of Directors of such Authority, their qualifications and terms of office, providing for the issuance of bonds payable from ad valorem taxes, revenues or a combination of taxes and revenues, making provisions relative to the issuance of bonds, the use of the proceeds thereof, the issuance of interim bonds and their approval by the Attorney General and the registration of same by the Comptroller of Public Accounts, providing for a maintenance tax and requiring an election for a maintenance tax and bonds payable wholly or partially from ad valorem taxes, providing for the assessment and collection of taxes, providing for severability, making a finding relative to publication, and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Schwartz:

S. B. No. 730, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as Quail Valley Utility District of Fort Bend County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body; authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a; providing that the District shall not be subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes except under certain conditions; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency.

To the Committee on Water and Conservation.

By Senator Schwartz:

S. B. No. 731, A bill to be entitled "An Act amending Chapter 712, page 1648, Acts of the 59th Legislature, Regular Session, 1965 (codified as Article 8280-339, Vernon's Texas Civil Statutes), to require that after May 1, 1969, three (3) of the directors of Galveston County Water Authority of Galveston County, Texas, shall be appointed by the Commissioners' Court of Galveston County upon recommendation of the City

Council of the City of Galveston, and one (1) of the three (3) shall be one (1) of the three (3) registered professional engineers mentioned in Section 5 thereof; and declaring an emergency."

To the Committee on Water and Conservation.

#### Senate Bill 732 on First Reading

Senator Herring moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 732, A bill to be entitled "An Act prohibiting the making or filing of false, misleading or unfounded reports to any governmental agency in this State and for the purpose of interfering with the operation of such governmental agency or with the intent to mislead or malign any officer of such agency; defining the term "governmental agency," and providing a penalty for violation of this Act; and declaring an emergency."

To the Committee on Jurisprudence.

#### Senate Bill 733 on First Reading

Senator Herring moved that Senate Rule 108 and Section 5 of Article

III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 733, A bill to be entitled "An Act amending the Texas Probate Code by adding a new Part 10A containing a new Section 398A which authorizes personal representatives to hold stocks, bonds, and other personal property in the name of a nominee; and declaring an emergency."

To the Committee on Jurisprudence.

#### Senate Concurrent Resolution 61

Senator Creighton offered the following resolution:

S. C. R. No. 61, Providing for the creation of the State Aircraft Committee.

Whereas, A number of state departments and agencies own and operate aircraft for departmental business and the transportation of their own officials and employees; and

Whereas, The broad expanse of Texas makes air transportation the most feasible means of travel when state officials and employees find it necessary to conduct business in the state at sites three and four hundred miles or more from Austin, and, many times, state-owned aircraft are used for this transportation; and

Whereas, It is essential to economy in state government that these state-owned aircraft be used in the most efficient manner possible, that is, that all trips be planned and scheduled so as to permit maximum utilization of passenger space, within the bounds of convenience and necessity, on each aircraft leaving the hangar; now, therefore, be it

Resolved by the Senate of the 61st Legislature, the House of Representatives concurring, That a special committee be, and it is hereby, created to study the use of aircraft owned and operated by the State of Texas, such study to include an inventory of state-owned aircraft, their use, and costs of maintenance, operation, and hangar space; and, be it further

Resolved, That the committee shall be known as the State Aircraft Committee, with its membership to include two Senators, appointed by the Lieutenant Governor; two Members of the House of Representatives, appointed by the Speaker of the House, and one member not affiliated with state government who shall be knowledgeable in aircraft and aircraft use, to be appointed by the Governor; and, be it further

Resolved, That Senate members and the Governor's appointee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Resolution from the Contingent Expenses Fund of the Senate, and the House members shall be reimbursed for their actual expenses incurred in carrying out the purposes of this Resolution from the Contingent Expense Fund of the House of Representatives; and, be it further

Resolved, That the committee be authorized to employ independent professional consultants to carry out the purposes of this Resolution, but before any expenditures are made by the committee, the committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Contingent Expenses Committee of the Senate and the House Administration Committee. Prior approval of the budget and non-budgeted expenses must be obtained from the Contingent Expenses Committee of the Senate and the House Administration Committee before any expenses may be paid; and, be it further

Resolved, That the committee shall complete the study and make a full report, together with findings and recommendations and drafts of any

legislation that may be proposed, to the 62nd Legislature, when it convenes in January, 1971.

The resolution was read and was referred to the Committee on Contingent Expenses.

#### Senate Resolution 450

Senator Herring offered the following resolution:

Whereas, Dr. Hans Herbert Goetz, who is participating in the International Visitor Program sponsored by the U. S. State Department, is a visitor today in our State Capitol; and

Whereas, Dr. Goetz is currently a Correspondent for Frankfurter Allgemeine in Brussels, Belgium, and is the author of several publications concerned with European economic policy; and

Whereas, He has traveled extensively throughout the world, including two previous visits to the United States; and

Whereas, The Senate is honored and pleased to have Dr. Goetz as a visitor today; now, therefore, be it

Resolved, That the Senate of the 61st Legislature extend its welcome to Dr. Hans Goetz; and be it further

Resolved, That copies of this Resolution be prepared for Dr. Goetz to commemorate his visit to our State Capitol.

The resolution was read and was adopted.

Senator Herring, by unanimous consent, presented the distinguished guest to the Members of the Senate.

#### Messages From the Governor

The following messages received from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas,  
April 8, 1969.

To the Senate of the Sixty-first Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be a Member of the State Securities Board, for a six-year term to expire upon the installation of the

Governor in 1975: James H. Milam of Lubbock, Lubbock County.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas.

Austin, Texas,  
April 8, 1969.

To the Senate of the Sixty-first Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Members of the Board of Directors of the Guadalupe-Blanco River Authority, for six-year terms to expire on February 1, 1973: Edgar F. Engelke of Seguin, Guadalupe County, for reappointment; Reagan B. Cates of Victoria, Victoria County, to replace Frank G. Guittard of Victoria, Victoria County. For six-year terms to expire on February 1, 1975: Arthur F. Leesch of Boerne, Kendall County, to replace J. E. Bauer of Refugio, Refugio County; Howard C. McKenna of New Braunfels, Comal County, to replace Ben W. Bock of New Braunfels, Comal County; Thomas A. Garner, Jr., of Port Lavaca, Calhoun County, to replace Martin Dolezal of Port Lavaca, Calhoun County.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas.

#### Senate Bill 264 with House Amendments

Senator Snelson called S. B. No. 264 from the President's Table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

#### Committee Amendment No. 1

Amend S. B. No. 264 by adding the following language at the end of the second paragraph ending "herein provided for absentee voting.":

"If a voter's religious belief prohibits him from voting during any part of the time during which the polls are open on the day of the election, he shall nevertheless be entitled to vote absentee even though the prohibition does not operate

throughout the entire time that the polls are open."

#### Committee Amendment No. 2

Amend S. B. No. 264 by adding a new Section to be numbered "Sec. 2" and renumbering subsequent Sections appropriately, to read as follows:

"Sec. 2. Subdivision 2, Section 37, Texas Election Code, as last amended by Section 14, Chapter 424, Acts of the 58th Legislature, 1963 (Subdivision 2, Article 5.05, Vernon's Texas Election Code), is amended to read as follows:

"Subdivision 2. Application for Ballot. A voter desiring to vote absentee shall make written application for an official ballot to the county clerk of the county of his residence, which application shall be signed by the voter, or by a witness at the direction of the voter in the case of the latter's inability to make such application because of physical disability.

The application shall state the ground on which the applicant is entitled to vote absentee, and in case of an application by mail, it shall also state the additional information required by Subdivision 1 of this section. In case of an application to vote absentee by personal appearance, except where the voted ballot is to be placed in a carrier envelope, the application shall contain or have attached thereto an affidavit signed by the applicant, in substantially the following form:

I, \_\_\_\_\_, do solemnly swear that I am a resident of Precinct No. \_\_\_\_\_, in \_\_\_\_\_ County, and am lawfully entitled to vote at the \_\_\_\_\_ election to be held in said precinct on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, and that I am prevented from appearing at the polling place in said precinct on the date of the election because of \_\_\_\_\_ (voter to signify sickness, physical disability, expected absence from county, or religious belief).

(Signature of Voter)

By: \_\_\_\_\_

(Signature of witness who assisted voter in event of physical disability)

The application shall be accompanied by the poll tax receipt or exemption certificate of the voter, or in lieu thereof, his affidavit in writing

that same has been lost or mislaid or has been used for applying for an absentee ballot in another election (stating the nature and date of the election) and has not been returned to him. If the ground of application is sickness or physical disability by reason of which the voter cannot appear at the polling place on election day, a certificate of a duly licensed physician or chiropractor or accredited Christian Science practitioner certifying to such sickness or physical disability shall accompany the application, which certificate shall be in substantially the following form:

This is to certify that I have personal knowledge of the physical condition of \_\_\_\_\_, and that because of sickness or physical disability he (she) will be unable to appear at the polling place for an election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.  
Witness my hand at \_\_\_\_\_, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(Signature of Practitioner)

Expected or likely confinement for childbirth on election day shall be sufficient to entitle a voter to vote absentee on the ground of sickness or physical disability, and a physician executing a certificate for a pregnant woman may state in the certificate that because of pregnancy and possible delivery she will be or may be unable to appear at the polling place on election day.

Any person who requests a physician, chiropractor, or Christian Science practitioner to execute a certificate for another person without having been directed by such other person to do so, and any physician, chiropractor, or Christian Science practitioner who knowingly executes a certificate except upon the request of the voter named therein or upon request of someone at the voter's direction, or who knowingly delivers a certificate except by delivering it to the voter in person or by mailing it to the voter at his permanent residence address or the address at which he is temporarily living, or who knowingly falsifies a certificate, shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or imprisoned in the county jail for not more than thirty days, or both so fined and imprisoned.

## Committee Amendment No. 3

Amend S. B. No. 264 by adding a new Section to be numbered "Sec. 3" and renumbering subsequent Sections appropriately, to read as follows:

"Sec. 3. Subdivision 3b, Section 37, Texas Election Code, as last amended by Section 14, Chapter 424, Acts of the 58th Legislature, 1963 (Subdivision 3b, Article 5.05, Vernon's Texas Election Code), is amended to read as follows:

"Subdivision 3b. Voting by personal appearance in election less than county-wide. In an election less than county-wide in which absentee paper ballots are to be sent to the regular polling places for counting, upon receipt of an application of an absentee ballot to be voted by personal appearance, the clerk shall thereupon furnish to the voter the following absentee voting supplies:

(1) One official ballot which has been prepared in accordance with law for use in such election.

(2) One ballot envelope, which shall be a plain envelope without any markings except the words "Ballot Envelope" printed on the face thereof, followed by the instructions contained in this subdivision and Subdivision 4 for marking the ballot, for placing it in the carrier envelope, and for returning a ballot to be voted by mail, together with a statement of the deadline for placing the ballot in the mail and for delivery to the clerk's office in that election.

(3) One carrier envelope, upon the face of which there shall appear the words "Carrier Envelope for Absentee Ballot" and the name, official title, and post office address of the county clerk, and upon the other side a printed affidavit in substantially the following form:

I, \_\_\_\_\_, do solemnly swear that I am a resident of Precinct No. \_\_\_\_\_, in \_\_\_\_\_ County, and am lawfully entitled to vote at the \_\_\_\_\_ election to be held in said precinct on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_; that I am prevented from appearing at the polling place in said precinct on the date of such election because of \_\_\_\_\_ (voter to signify sickness, physical disability, expected absence from county, or religious belief); that the enclosed ballot expresses my wishes, independent of any dictation or undue

persuasion of any person; and that I did not use any memorandum or device to aid me in the marking of said ballot.

(Signature of Voter)

By:

(Signature of witness who assisted voter in event of physical disability)

The voter shall then and there, in the office of the clerk, mark the ballot in the presence of the clerk, sign his name on the back of the ballot stub, detach the stub from the ballot, fold the ballot and place it in the envelope marked "Ballot Envelope" and seal the same. The voter shall then place the stub and the ballot envelope in the carrier envelope, seal the same and sign and swear to the affidavit on the carrier envelope, and deliver the carrier envelope to the clerk, who shall certify to the affidavit. The clerk shall, when requested, also take any other affidavits for a voter which are required by this Code, for which service no fee shall be charged. The clerk shall make a notation on the voter's poll tax receipt or exemption certificate that he has voted absentee in the election, shall note the number of the receipt or certificate on the application, and shall return the receipt or certificate to the voter."

The House amendments were read.

Senator Snelson moved that the Senate concur in the House amendments.

The motion prevailed.

## Senate Bill 734 on First Reading

By unanimous consent Senator Schwartz moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Ailkin	Cole
Bates	Connally
Bernal	Creighton
Berry	Grover
Blanchard	Hall
Bridges	Harrington
Brooks	Harris
Christie	Hazlewood



Herring	Ratliff
Hightower	Schwartz
Jordan	Snelson
Mauzy	Strong
McKool	Watson
Moore	Wilson
Patman	Word

Absent—Excused

Kennard

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 734, A bill to be entitled "An Act to secure for Texas citizens flood insurance coverage under the National Flood Insurance Act of 1968 and authorizing counties bordering on the Gulf of Mexico and its Bays to enact regulations and ordinances and to enforce such regulations and ordinances; and declaring an emergency."

To the Committee on Insurance.

**House Bill on First Reading**

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 303, To Committee on State Affairs.

**Co-Author of Senate Joint Resolution 5**

On motion of Senator Bernal and by unanimous consent Senator Hall will be shown as Co-author of S. J. R. No. 5.

**Reports of Standing Committees**

Senator Hall, by unanimous consent, submitted the following reports:

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 93, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
CONNALLY  
WORD

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs to which was referred H. B. No. 518, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.  
CONNALLY  
WORD

Senator Connally, by unanimous consent, submitted the following report:

Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Parks and Wildlife to which was referred H. B. No. 92, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CONNALLY, Chairman,  
BLANCHARD  
RATLIFF

**Senate Joint Resolution 13 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment S. J. R. No. 13 (the resolution having been read second time and Set for Special Order at this time on Tuesday, April 1, 1969.)

Question—Shall S. J. R. No. 13 be passed to engrossment?

Senator McKool offered the following amendment to the resolution:

Eliminate and delete the sentence on lines 31 and 32 which reads: "And this provision of the Constitution shall be self-enacting without the necessity of further legislation."

The amendment was read and was adopted.

Senator Harris offered the following amendment to the resolution:

Amend S. J. R. No. 13 by McKool by striking the following sentence in the printed bill.

"Any legislation enacted in anticipation of the adoption of this amendment shall not be invalid because of

its anticipatory nature." which sentence begins on line 37 and ends on line 39.

The amendment was read.

On motion of Senator McKool the amendment was tabled.

Senator Harris offered the following amendment to the bill:

Amend S. J. R. 13 line 27 by deleting the words and figures "21 years" to read as follows "65 years."

HARRIS  
MOORE

The amendment was read.

Senator McKool raised the Point of Order that the amendment seeks to amend a Section of the resolution which has been previously amended at the same stage of the resolution.

The Presiding Officer (Senator Brooks in the Chair) overruled the Point of Order.

On motion of Senator McKool the amendment was tabled.

Senator Word offered the following amendment to the resolution:

Amend S. J. R. 13 by adding a new sentence after the word "legislation" in Subsection 2 of Section 1 at line 41 as follows: "No system of registration shall provide for a period of registration in excess of four (4) years."

The amendment was read and was adopted.

Pending discussion by Senator Harris of the resolution, Senator Connally moved the Senate stand adjourned until 10:00 o'clock a.m. tomorrow.

The motion was lost.

Question—Shall S. J. R. No. 13 be passed to engrossment?

#### Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 56, Memorial resolution for former President Dwight David Eisenhower.

S. C. R. No. 57, Providing that all State Offices shall be closed Friday, April 4, 1969, at 12:00 o'clock M., in observance of Good Friday.

S. C. R. No. 58, Directing Senate Enrolling Clerk to make certain corrections in S. B. No. 188.

#### Senate Bill 545 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent S. B. No. 545 was ordered not printed.

#### Senate Joint Resolution 13 on Second Reading

The Senate resumed the consideration of the pending business, same being S. J. R. No. 13 on its second reading and passage to engrossment.

Question—Shall S. J. R. No. 13 be passed to engrossment?

Pending discussion by Senator Harris of the resolution, Senator Connally moved that the Senate stand adjourned until 10:05 o'clock a.m. tomorrow.

Question on the motion to adjourn, "Yeas" and "Nays" were demanded.

The motion to adjourn was lost by the following vote:

#### Yeas—11

Aikin	Hazlewood
Blanchard	Moore
Connally	Ratliff
Creighton	Snelson
Grover	Word
Harris	

#### Nays—19

Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Bridges	McKool
Brooks	Patman
Christie	Schwartz
Cole	Strong
Hall	Watson
Harrington	Wilson
Herring	

#### Absent—Excused

Kennard

(President in the Chair.)

Pending discussion by Senator Harris of the resolution, Senator Berry occupied the chair.

The resolution as amended was passed to engrossment.

#### Record of Votes

Senators Creighton, Grover, Aikin, Moore, Blanchard and Harris asked to be recorded as voting "Nay" on the passage of the resolution to engrossment.

#### Paired

Senator Hazlewood (present) who would vote Nay.

Senator Kennard (absent) who would vote Yea.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
April 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 79, Congratulating Mrs. Eugene McDermott.

H. J. R. No. 3, A Joint Resolution Proposing a Constitutional Amendment repealing Sections 42, 46, and 48 of Article III, Sections 3a and 7 of Article VII, Section 12 of Article VIII, Section 3 of Article IX, Sections 1, 2, 3, 4, 5, 6, 7, and 8 of Article X, Section 10 of Article XI, Sections 1, 2, 3, 4, 5, 6, and 7 of Article XII, Sections 1, 2, 3, 4, 5, 6, and 7 of Article XIII, Sections 1, 2, 3, 4, 5, 6, 7, and 8 of Article XIV, Sections 3, 7, 13, 29, 32, 34, 35, 36, 38, 42, 45, 46, 49, 54, 55, 57, 58, and 60 of Article XVI.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Memorial Resolutions

S. R. No. 445—By Senator Watson: Memorial resolution for U. J. Lundy.

S. R. No. 446—By Senator Watson: Memorial resolution for Joe P. Moore.

S. R. No. 447—By Senator Watson: Memorial resolution for Bert Wallace.

S. R. No. 459—By Senator Watson: Memorial resolution for John Robert Whitaker.

S. R. No. 460—By Senator Watson: Memorial resolution for Henry W. Quinius, Sr.

S. R. No. 461—By Senator Watson: Memorial resolution for Samuel D. Forman.

S. R. No. 462—By Senator Watson: Memorial resolution for Bill R. Newman.

#### Welcome and Congratulatory Resolutions

S. B. No. 441—By Senator Cole: Extending appreciation to Sergeant William A. (Shorty) Evans.

S. R. No. 442—By Senator Christie: Extending congratulations to Miss Carol Mueller on her accomplishments in the field of home economics.

S. B. No. 443—By Senator Watson: Extending welcome to Mrs. E. K. Folley of Mart.

S. R. No. 444—By Senator Watson: Extending good wishes to the Independent Order of Odd Fellows on the occasion of their 150th Anniversary.

S. R. No. 448—By Senator Blanchard: Extending congratulations to Mrs. Louise Massey on her selection as Monahans "Woman of the Year." (amended)

S. R. No. 449—By Senator Harrington: Extending welcome to Associate Justice Quentin Keith, Court of Civil Appeals, Beaumont.

S. R. No. 451—By Senator Brooks: Extending congratulations to Pasadena Post Office on receipt of Presidential "Natural Beauty Program Citation of Merit." (amended)

S. R. No. 452—By Senator Snelson: Extending appreciation to H. Wade Whiteley for his manifold contributions to the State of Texas.

S. R. No. 453—By Senator Wilson: Extending congratulations to Fred Jackson of Henderson on his selection as "Coach of the Year."

S. R. No. 454—By Senator Wilson: Extending congratulations to James T. Davis of Brookeland on his selection as "Coach of the Year."

S. R. No. 455—By Senator Wilson: Extending congratulations to Jack

(Red) Whitton of Pineland on his selection as "Coach of the Year."

S. R. No. 456—By Senator Wilson: Extending congratulations to Jimmy Horn of Snook on his selection as "Coach of the Year."

S. R. No. 457—By Senator Wilson: Extending congratulations to William (Bill) Lane of Daingerfield on his selection as "Coach of the Year."

S. R. No. 458—By Senator Herring: Extending welcome to Girl Scout Troop No. 364 of Brentwood School of Austin.

#### Adjournment

On motion of Senator Creighton the Senate at 12:54 o'clock p.m. adjourned until 10:00 o'clock a.m. tomorrow.

#### APPENDIX

##### Sent to Governor

April 8, 1969

S. C. R. No. 56  
S. C. R. No. 57  
S. C. R. No. 58

#### FORTY-SIXTH DAY

(Wednesday, April 9, 1969)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by Senator Aikin.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Harrington

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Hightower, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leave of Absence

Senator Harrington was granted leave of absence for today and the remainder of the week on account of illness in the family on motion of Senator Hightower.

#### Reports of Standing Committees

Senator Herring submitted the following reports:

Austin, Texas,  
April 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 51, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
April 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 384, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.

Austin, Texas,  
April 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 603, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HERRING, Chairman.